

701—19.7(422,423) Types of construction contracts. The term “construction contract” is defined as an agreement under the terms of which an individual, corporation, partnership or other entity agrees to furnish the necessary building or structural materials, supplies, equipment or fixtures and to erect the same on the project site for a second party known as a sponsor. Nonexclusive examples of the types of construction contracts would include: lump-sum contracts; cost plus contracts; time and material contracts; unit price contracts; guaranteed maximum or upset price contracts; construction management contracts; design built contracts; and turnkey contracts.

The following is a nonexclusive list of activities and items which could fall within the meaning of a construction contract or are generally associated with new construction, reconstruction, alteration, or expansion of a building or structure. The list is provided merely for the purpose of illustration. It should not be used to distinguish machinery and equipment from real property or structures since such a determination is factual. See rules 19.10(422,423) and 19.11(422,423) for details.

- Ash removal equipment (installed as distinguished from portable units).
- Automatic sprinkler systems (fire protection).
- Awnings and venetian blinds which become attached to real property.
- Boilers (installed as distinguished from portable units).
- Brick work.
- Builder’s hardware.
- Burglar alarm and fire alarm fixtures.
- Caulking materials work.
- Cement work.
- Central air conditioner installation.
- Coal handling equipment (installed as distinguished from portable units).
- Concrete work.
- Conveying systems (installed as distinguished from portable units).
- Drapery installation.
- Electric conduit work and items relating thereto.
- Electric distribution lines.
- Electric transmission lines.
- Floor covering which is permanently installed. See rule 701—16.48(422,423) for an exception to this regarding carpeting.
- Flooring work.
- Furnaces, heating boilers and heating units.
- Furniture, prefabricated cabinets, counters and lockers (installed as distinguished from portable units).
- Glass and glazing work.
- Gravel work (excluding landscaping).
- Installation of modular homes on foundations.
- Lathing work.
- Lead work.
- Lighting fixtures.
- Lime work.
- Lumber and carpenter works.
- Macadam work.
- Millwork installation.
- Mortar work.
- Oil work.
- Paint booths and spray booths (installed as distinguished from portable units).
- Painting work.
- Paneling work.
- Papering work.
- Passenger and freight elevators.

Piping valves and pipe fitting work.
Plastering work.
Plumbing work.
Putty work.
Refrigeration units (central plants installation as distinguished from portable units).
Reinforcing mesh work.
Road construction (concrete, bituminous, gravel, etc.).
Roofing work.
Sheet metal work.
Sign installation (other than portable sign installation).
Steel work.
Stone work.
Stucco work.
Tile work, ceiling, floor and walls.
Underground gas mains.
Underground sewage disposal.
Underground water mains.
Vault doors and equipment.
Wallboard work.
Wall coping work.
Wallpaper work.
Water heater and softener installation.
Weather stripping work.
Wire net screen work.
Wood preserving work.